

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO

FRANK D. GRUTTADURIA,

Plaintiff,

V.

ROBERT FAZIO, et al.,

Defendants.

CASE NO. 1:07 CV 449

JUDGE SOLOMON OLIVER, JR.

ORDER

On February 16, 2007, Frank Gruttadauria (“Plaintiff”) filed this action *pro se* against Defendants Robert Fazio, Carl Fazio, Fazio Investment One, Ltd., and Fazio Investment Three, Ltd. (Compl., ECF No. 1.) This court dismissed the case on April 10, 2007 because the court lacked subject matter jurisdiction and the *Younger* abstention doctrine precluded the court from hearing the case. (ECF No. 11.)

One week later, Plaintiff filed a Motion for Summary Judgment. (ECF No. 12.) The Motion is hereby denied as moot. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this order could not be taken in good faith.

IT IS SO ORDERED.

/S/SOLOMON OLIVER, JR.  
UNITED STATES DISTRICT JUDGE